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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,678	12/13/2000	Koichi Nagaki	041465-5093	4677

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WASHINGTON, DC 20004

EXAMINER

TRAN, DALENA

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 05/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/734,678

Applicant(s)

NAGAKI, KOICHI

Examiner

DALENA TRAN

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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5

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

Art Unit: 3661

## **DETAILED ACTION**

### **Notice to Applicant(s)**

1. This office action is responsive to the amendment filed on 3/4/02. Claims 1-17 are pending.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,4,9, and 13, as understood by examiner, are rejected under 35 U.S.C.102(b) as being anticipated by Goto et al. (5,406,493).

As per claim 1, Goto et al. disclose a navigation system comprising: a present position detecting device (see columns 5-6, lines 36-5), a plurality of memory device each capable of reading out map data (see columns 4-5, lines 67-35), a navigation controlling device for controlling a navigation operation in correspondence with the detected present position (see columns 3-4, lines 21-36; and columns 6-8, lines 66-21), and a map data reading device for accessing one of the memory devices, which is selected in accordance with a predetermined condition, and reading out the map data required for the navigation operation (see the abstract; and columns 2-3, lines 64-14).

Art Unit: 3661

As per claim 4, Goto et al. mention map data reading device selects the memory device to be accessed, in accordance with management information of the map data stored in the memory devices (see column 6, lines 6-65).

As per claim 9, Goto et al. disclose a navigation system comprising: present position detecting device (see columns 5-6, lines 36-5), a first memory device capable of reading out map data from a record medium and a second memory device of non volatile type capable of reading out the map data and writing the map data (see columns 4-5, lines 67-35), a navigation controlling device for controlling a navigation operation in correspondence with the detected present position (see columns 6-8, lines 67-21), a map data transferring device for controlling first memory device to read out the map data from record medium at a predetermined timing, and then transferring and storing the read out map data to second memory device (see column 6, lines 7-65), and a map data reading device for selecting one of first and second memory device in accordance with a predetermined condition, accessing the selected one of first and second memory device and reading out the map data required for the navigation operation (see the abstract).

As per claim 13, Goto et al. discloses map data transferring device transfers the map data when record medium is set to first memory device (see column 6, lines 7-65).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3661

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Goto et al. (5,406,493) in view of Ofek et al. (5,680,640).

As per claim 2, Ofek et al. mention map data reading device selects the memory device to be accessed, which is indicated by a priority flag set in advance (see columns 9-10, lines 4-9). It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the teach of Goto et al. by mention map data reading device selects the memory device to be accessed, which is indicated by a priority flag set in advance to provides accessibility to handle the transferring data request.

6. Claims 3 and 16, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Goto et al. (5,406,493), and Ofek et al. (5,680,640) as applied to claims 1 and 9 above, and further in view of Hirono (6,246,958).

As per claim 3, Hirono discloses map data reading devices selects the memory device to be accessed, which is capable of reading out the map data updated at the latest (see columns 1-2, lines 66-28; and columns 5-6, lines 41-7). It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the teach of Goto et al., and Ofek et al. by mention map data reading devices selects the memory device to be accessed, which is capable of

Art Unit: 3661

reading out the map data updated at the latest to provide the car navigation system with more recent map data.

As per claim 16, Hirono discloses a plurality of block map data are recorded in record medium (see columns 7-8, lines 36-24), map data transferring device transfers the block map data, and map data reading device reads the block map data (see columns 8-9, lines 25-13).

7. Claims 5-6,8,10-11, and 14-15, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Goto et al. (5,406,493) in view of Ando et al. (6,230,098).

As per claim 5, Ando et al. mention a management information storage device for extracting the management information from the memory device and holding the extracted management information respectively (see column 5, lines 4-10).

As per claim 6, Ando et al. disclose management information storage device holds name information indicative of a name of the map data and map data transferring device compares the name information of the map data and decide which map data is to be transferred (see columns 6-7, lines 55-44; and columns 10-11, lines 32-18). It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the teach of Goto et al. by mention management information storage device for extracting the management information from the memory device, holding the extracted management information, and holds name information indicative of a name of the map data and map data transferring device compares the name information of the map data and decide which map data is to be transferred to keep track the data

Art Unit: 3661

located in the system to allow the latest map data to be read out from a specific map database center through a specific transmission medium.

As per claim 8, Ando et al. disclose a differential management information storage device for extracting the management information from the memory devices and holding differential management information indicative of a difference between the management information extracted from one memory device and that extracted from another memory device (see the abstract). It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the teach of Goto et al. by mention a differential management information storage device for extracting the management information from the memory devices and holding differential management information indicative of a difference between the management information extracted from one memory device and that extracted from another memory device to differentiate between the new and the old map data therefore can use latest map data for accurate navigation.

As per claim 10, Ando et al. disclose map data transferring device selects the map data to be transferred in accordance with the management information (see columns 7-8, lines 45-39), and map data reading device selects one of memory devices in accordance with the management information (see columns 8-10, lines 40-31). It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the teach of Goto et al. by mention selects the map data to be transferred in accordance with the management information for accurately managing maps of positions corresponding to differ areas.



Art Unit: 3661

As per claim 11, Ando et al. disclose management information storage device holds name information indicative of a name of the map data and map data transferring device compares the name information of the map data and decide which map data is to be transferred (see columns 6-7, lines 55-44).

As per claims 14 and 15, Ando et al. disclose second memory device is capable of writing and reading the map data at an access speed faster than of first memory device and second memory device comprises a hard disc device (see columns 5-6, lines 35-54). It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the teach of Goto et al. by mention second memory device is capable of writing and reading the map data at an access speed faster than of first memory device for achieving high speed update processing while ensuring ease in using updated map data.

8. Claims 7 and 12, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Goto et al. (5,406,493), and Ando et al. (6,230,098) as applied to claims 5 and 10 above, and further in view of Hirono (6,246,958).

As per claim 7, Hirono discloses management information storage device holds date and time information indicative of date and time when the map data is updated (see columns 2-3, lines 29-2), and map data reading device reading out the map data corresponding to the date and time information indicative of latest date and time (see column 3, lines 3-58). It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the teach of Goto et al., and Ando et al. by mention management information storage device holds

Art Unit: 3661

date and time information indicative of date and time when the map data is updated to keep track of the latest updated of data.

As per claim 12, Hirono discloses map data transferring device compares the date and time information of the map data in memory devices and decide whose date and time is older as the map data to be transferred (see column 6, lines 27-67).

9. Claim 17, as understood by examiner, are rejected under 35 U.S.C.103(a) as being unpatentable over Ando et al. (6,230,098) in view of Ofek et al. (5,680,640).

As per claim 17, Ando et al. disclose a navigation system comprising: present position detecting device, and a navigation controlling device for controlling a navigation operation in correspondence with the detected present position (see column 4, lines 41-63), a first memory device capable of reading out map data from a record medium (see column 5, lines 4-33), and a second memory device of non volatile type capable of reading out the map data and writing the map data (see columns 3-4, lines 43-10), a differential management information generating device for comparing management information of the map data in memory devices, and generating differential management information indicative of a difference between the compared management information (see columns 2-3, lines 15-13), and a differential management information storing device (see column 3, lines 14-43). Ofek et al. mention a map data reading device for selecting one of first and second memory devices in accordance with the differential management information (see columns 9-10, lines 40-10). It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the teach of Ando et al. by

Art Unit: 3661

mention a map data reading device for selecting one of first and second memory devices in accordance with the differential management information for accurately reading out the data that correspond to the user desired.

**Remarks**

10. Applicant's argument files on 3/4/02 have been fully considered and they are deemed to be persuasive. However, upon updated search and the amended claims, the new ground of rejection has been set forth as above.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is (703)308-8223. The examiner can normally be reached on Monday-Friday from 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

/dt  
May 08, 2002

  
TAN NGUYEN  
PRIMARY EXAMINER